

1-1 By: Bettencourt, et al. S.B. No. 1111
 1-2 (In the Senate - Filed March 5, 2021; March 18, 2021, read
 1-3 first time and referred to Committee on State Affairs;
 1-4 April 20, 2021, reported favorably by the following vote: Yeas 6,
 1-5 Nays 3; April 20, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12		X		
1-13	X			
1-14		X		
1-15	X			
1-16		X		

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the residence address of a voter for purposes of a
 1-20 response to a confirmation notice sent by the voter registrar.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 1.015, Election Code, is amended by
 1-23 amending Subsection (b) and adding Subsection (f) to read as
 1-24 follows:

1-25 (b) A person may not establish residence for the purpose of
 1-26 influencing the outcome of a certain election [~~Residence shall be~~
 1-27 ~~determined in accordance with the common-law rules, as enunciated~~
 1-28 ~~by the courts of this state, except as otherwise provided by this~~
 1-29 ~~code~~].

1-30 (f) A person may not establish a residence at any place the
 1-31 person has not inhabited. A person may not designate a previous
 1-32 residence as a home and fixed place of habitation unless the person
 1-33 inhabits the place at the time of designation and intends to remain.

1-34 SECTION 2. Section 15.052(b), Election Code, is amended to
 1-35 read as follows:

1-36 (b) The official confirmation notice response form must:

1-37 (1) provide spaces for the voter to include all of the
 1-38 information that a person must include in an application to
 1-39 register to vote under Section 13.002; ~~and~~

1-40 (2) describe the requirements of Section 15.054,
 1-41 provide a space for the voter to indicate if the voter is exempt
 1-42 from those requirements, and provide a space to indicate the reason
 1-43 for an exemption, if any;

1-44 (3) provide the definition of residence under Section
 1-45 1.015; and

1-46 (4) be postage prepaid and preaddressed for delivery
 1-47 to the registrar.

1-48 SECTION 3. Section 15.053(a), Election Code, is amended to
 1-49 read as follows:

1-50 (a) Not later than the 30th day after the date a
 1-51 confirmation notice is mailed, the voter shall submit to the
 1-52 registrar a written, signed response to the notice that confirms
 1-53 the voter's current residence. The response must contain:

1-54 (1) all of the information that a person must include
 1-55 in an application to register to vote under Section 13.002;

1-56 (2) a sworn affirmation of the voter's current
 1-57 residence as defined by Section 1.015; and

1-58 (3) evidence of the voter's residence address as
 1-59 required by Section 15.054 or an indication that the voter is exempt
 1-60 from those requirements.

1-61 SECTION 4. Subchapter C, Chapter 15, Election Code, is

2-1 amended by adding Section 15.054 to read as follows:

2-2 Sec. 15.054. DOCUMENTATION OF RESIDENCE FOR PURPOSES OF
2-3 CONFIRMATION NOTICE RESPONSE. (a) For purposes of Section 15.053,
2-4 a voter's residence may be documented by providing a photocopy of
2-5 the first document, beginning with Subdivision (1) and continuing
2-6 through Subdivision (6), in the following list that corresponds to
2-7 the voter's residence under Section 1.015:

2-8 (1) a driver's license issued to the voter by the
2-9 Department of Public Safety that has not expired or, if the voter
2-10 has notified the department of a change of address under Section
2-11 521.054, Transportation Code, an affidavit from the voter stating
2-12 the new address contained in the notification;

2-13 (2) a personal identification card issued to the voter
2-14 by the Department of Public Safety that has not expired or, if the
2-15 voter has notified the department of a change of address under
2-16 Section 521.054, Transportation Code, an affidavit from the voter
2-17 stating the new address contained in the notification;

2-18 (3) a license to carry a concealed handgun issued to
2-19 the voter by the Department of Public Safety that has not expired
2-20 or, if the voter has notified the department of a change of address
2-21 under Section 411.181, Government Code, an affidavit from the voter
2-22 stating the new address contained in the notification;

2-23 (4) an appraisal district document showing the address
2-24 the voter claims as a homestead in this state;

2-25 (5) a utility bill addressed to the voter's residence
2-26 address; or

2-27 (6) an official tax document or Texas Department of
2-28 Motor Vehicles document showing the registration address of a
2-29 vehicle the voter owns.

2-30 (b) A voter whose residence in this state has no address may
2-31 document residence under this section by executing an affidavit
2-32 stating that the voter's residence in this state has no address,
2-33 providing a concise description of the location of the voter's
2-34 residence, and delivering the affidavit to the registrar with the
2-35 voter's response to the confirmation notice.

2-36 (c) The address described by Subsection (a)(4) may not be a
2-37 commercial post office box or similar location that does not
2-38 correspond to a residence.

2-39 (d) This section does not apply to:

2-40 (1) a voter who is a member of the armed forces of the
2-41 United States or the spouse or a dependent of a member;

2-42 (2) a voter enrolled as a full-time student who lives
2-43 on campus at an institution of higher education;

2-44 (3) a voter whose address is confidential under
2-45 Subchapter C, Chapter 56, Code of Criminal Procedure;

2-46 (4) a federal judge, state judge, or spouse of a
2-47 federal or state judge whose driver's license includes the street
2-48 address of a courthouse under Section 521.121, Transportation Code;
2-49 or

2-50 (5) a peace officer whose driver's license omits the
2-51 officer's actual residence address under Section 521.1211,
2-52 Transportation Code.

2-53 (e) Subsection (a)(1) does not apply to a voter who holds a
2-54 commercial driver's license under Subchapter C, Chapter 522,
2-55 Transportation Code.

2-56 (f) Notwithstanding the other provisions of this section, a
2-57 voter enrolled as a full-time student who lives on campus at an
2-58 institution of higher education may use the address of a post office
2-59 box located on the campus of the institution or in a dormitory owned
2-60 or operated by the institution to confirm the voter's residence.

2-61 (g) The secretary of state shall adopt rules as necessary to
2-62 implement this section.

2-63 SECTION 5. This Act takes effect September 1, 2021.

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